

ANR Regulations

Subdivision Rules and Regulations, Article II, Section 4

Section 4. Plan Not Believed to Require Subdivision Approval

A. Submission of Plan

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that said plan does not require approval under the Subdivision Control Law must:

- (1) file with the Planning Board at a regular or special meeting of said Board, with a copy to the Town Clerk, an application Form A, properly executed by the Applicant and in duplicate (see Exhibit A, attached);
- (2) submit, with Form A, one (1) mylar drawing of the plan and nine (9) contact prints thereof, prepared by a registered land surveyor, to the Board accompanied by the evidence necessary to show that the plan does not require approval under the Subdivision Control Law; and
- (3) pay to the Town of Carlisle, upon filing of said Form A, a non-refundable filing fee set forth on the Fee Schedule and, if requested by the Board, the Project Review Deposit.

B. Contents of Plan

- (1) The dimensions of said plan shall be as required in "Plan Regulations of the Registry of Deeds" in effect at the time the plan is submitted to the Board. Each plan submitted to the Board shall contain at least the following:
 - (a) Identification of the plan by name and address of Owner, location of the land in question (with a true North arrow) and, if different, the name of the Applicant.
 - (b) The statement "Approval Under Subdivision Control Law Not Required," and sufficient space for the date and signatures of all members of the Board.
 - (c) The zoning classification of the land that contains the property and location of any zoning boundary lines or overlay districts that lie within the area, including the overlay Wetland/Flood Hazard District.
 - (d) The entirety of any lot having its boundaries changed must be shown.
 - (e) Notice of any decisions by any local, state or federal boards, commissions, departments or agencies, including, but not limited to, the Board of Appeals, the Conservation Commission and the Board of Health, including, but not limited to variances and exceptions regarding the land or any buildings thereon.
 - (f) Names of all abutters as they appear on the most recent applicable tax list, unless the Applicant has knowledge of any subsequent changes.
 - (g) Distance to nearest public or private way, or to other permanent monument.
 - (h) Location of existing buildings and improvements on the lot and their distance to the nearest property line and the setback and side and rear yard designation and the location of any easements (together with the recording information for such easements), wetlands, trails, Footpaths, water courses and other significant natural features.

- (i) For each proposed lot, boundary lines, area, dimensions, the ellipse required by Section 4.1.3.3 of the Town of Carlisle Zoning Bylaws and, if applicable, the circle required by Section 4.1.2.4.3 of the Town of Carlisle Zoning Bylaws.
- (j) Signature and seal of the registered land surveyor who prepared the plan.
- (k) Assessor's map and parcel number for the lots shown on the plan.
- (l) A locus plan having a scale of one inch (1") equals two hundred feet (200') showing boundaries of the lots.
- (m) The plan should state that "No determination of compliance with zoning requirements has been made or intended," or words of similar import.

C. Board Determination

- (1) If the Board determines that the plan does not require approval, the Board or its authorized agent shall, without a public hearing and within 21 days of complete submission, endorse the Plan in the signature block required under Section 4(B)(1)(b). Such endorsement shall not be deemed to constitute any determination of compliance with the requirements of the Zoning Bylaws or the General Bylaws of the Town of Carlisle. The signed original of the plan shall be returned to the Applicant, and the Board shall notify the Town Clerk, in writing, of its action.
- (2) If the Board determines that the plan does require approval under the Subdivision Control Law, it shall give written notice of its determination to the Town Clerk and the Applicant. The Applicant may then submit a plan for approval as provided by the Subdivision Control Law and these Rules and Regulations, or he may appeal from such determination to the Superior Court in accordance with the Subdivision Control Law.
- (3) If the Board fails to act upon a plan submitted pursuant to this Section 4 within the time period described in 4(C)(1) above, the plan shall be deemed approved and a certificate to that effect shall be issued by the Town Clerk.

Approval Not Required (ANR) Fee Schedule
(as per *Subdivision Rules and Regulations*, Exhibit F):

- 1) For each plan that creates no new boundary lines, the filing fee is: \$100 per plan
- 2) For each plan that creates new boundary lines, the filing fee is: \$100 per plan
 \$100 per lot/parcel created
- 3) If requested, the Project Review Fee is: \$1,000

Subdivision Rules and Regulations, Exhibit A

**The Commonwealth of Massachusetts
Town of Carlisle Planning Board**

Form A

Application for Endorsement of Plan Believed Not to Require Approval

File one completed form with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Section II-B.

No. _____

Date _____

To the Planning Board:

The undersigned, believing that the accompanying plan of his/her property in the Town of Carlisle, does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant _____

Address _____

2. Name of Engineer or Surveyor _____

Address _____

3. Deed of property recorded in _____ Registry,

Book # _____, Page # _____ .

4. Location and Description of Property:

Signature of Owner _____

Address _____
